

City Council
Atlanta, Georgia

07- 0 -0865

U-07-09

AN ORDINANCE
BY: ZONING COMMITTEE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. Under the provisions of Sec. 16-13.005 (1) (g) of the Zoning Ordinance of the City of Atlanta, a Special Use Permit for a HOTEL, is hereby approved. Said use is granted to BUCKHEAD AVENUES DEVELOPMENT CO. LLC., and is to be located at **3135 Peachtree Road and 288, 290, 292, 308, 310, 312 and 314 East Paces Ferry Road, N.E., to wit:**

ALL THAT TRACT or parcel of land lying and being in Land Lot 99, 17th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. That this amendment is approved under the provisions of Section 16-25.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Special Use Permits, Procedural Requirements", and the Director, Bureau of Buildings, shall issue a building permit only in compliance with the applicable provisions of this part. The applicable conditional site plan and any other conditions hereby imposed are enumerated by attachment. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Legal Description for
Parcel F

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN THE CITY OF ATLANTA IN LAND LOT 99 OF THE 17TH DISTRICT, FULTON COUNTY, GEORGIA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A P.K. NAIL ON THE NORTHEAST INTERSECTION OF BOLLING WAY (APPARENT 50' RIGHT-OF-WAY) AND EAST PACES FERRY ROAD (VARIABLE RIGHT-OF-WAY) RUNNING THENCE N04°-03'-00"W ALONG THE NORTHEAST RIGHT-OF-WAY OF BOLLING WAY, 327.35' TO A P.K. NAIL AT THE SOUTHEAST INTERSECTION OF BOLLING WAY (APPARENT 50' RIGHT-OF-WAY) AND PEACHTREE ROAD (VARIABLE RIGHT-OF-WAY); RUNNING NORTHEASTERLY 99.94' ALONG THE SOUTHEASTERN RIGHT-OF-WAY OF PEACHTREE ROAD CURVING TO THE RIGHT, HAVING A RADIUS OF 349.30' SUBTENDED BY A CORD OF N75°-00'-13"E, 99.60' TO A P.K. NAIL. LEAVING SAID RIGHT-OF-WAY AND RUNNING S04°-29'49"E, 144.34' TO A POINT; RUNNING N85°-09'-33"E, 62.15' TO A POINT; RUNNING THENCE N77°-40'-04"E, 122.70' TO A 2 INCH OPEN TOP PIN; RUNNING S07°-49'-10"E, 47.91' TO A POINT; RUNNING S07°-54'-57"E, 136.03' TO A ½" REBAR ON THE NORTHWEST RIGHT-OF-WAY OF EAST PACES FERRY ROAD (VARIABLE RIGHT-OF-WAY); RUNNING S78°-36'-06"W; ALONG SAID RIGHT-OF-WAY, 120.05' TO A P.K. NAIL; RUNNING THENCE S78°-39'-16"W ALONG SAID RIGHT-OF-WAY OF EAST PACES FERRY ROAD 75.95' TO A POINT, RUNNING S79°-10'-15"W ALONG THE SAID RIGHT OF WAY 101.10' TO THE POINT OF BEGINNING AT THE NORTHEAST INTERSECTION OF BOLLING WAY AND EAST PACES FERRY ROAD. SHOWN ON A SURVEY FOR BEN CARTER PROPERTIES BY GEORGIA LAND SURVEYING CO., INC DATED February 2, 2007 AND HAVING 1.56 ACRES.

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PLANNING
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